

REMARKS/ARGUMENTS

The Office Action mailed January 21, 2004 has been reviewed and carefully considered. Before the present Amendment, Claims 1-42 were pending, with Claims 1, 11, 22, 33, 35, and 37 being in independent form. In the present amendment, independent Claims 1, 11, 22, 33, 35, and 37 have been amended to clarify the nature of the present invention, dependent Claims 2-3, 5-10, 12-13, 15-21, 23-24, 26-32, 34-35, and 38-41 have been amended either to conform with the changes made to the independent claims or to correct minor errors, and Claims 43-82 have been added. Minor corrections have been made to FIGS. 3 and 4 (support for the changes to FIG. 4 may be found at least in originally filed FIG. 3 and the text at lines 13-16 of page 7 of the originally filed specification). After the present Amendment has been entered, Claims 1-82 will be pending, with Claims 1, 11, 22, 33, 35, 37, 51, and 69 being in independent form. Reconsideration and withdrawal of the rejections in the Office Action are requested on the basis of the foregoing amendments and the following remarks.

Newly added Claims 43-82 contain no new matter: support for Claims 43-44 and 63 may be found at least in originally filed Claims 8, 9, 18, 19, 20, 29, 30, 32, and 34; support for Claims 45-50 may be found at least on lines 14-18 of page 10 in the originally filed specification; support for Claims 51 and 69 may be found at least in originally filed Claims 11 and 22, as well as on lines 1-13 of page 4 and the text from line 7 on page 6 to line 15 on page 12 of the originally filed specification; support for Claims 52-62 and 64-65 may be found at least in the text from line 17 on page 8 to line 12 on page 9 of the originally filed specification; Claims 66-67 and 76, at least on lines 15-17 of page 8; Claims 68 and 77, at least on lines 8-10 of page 12; Claims 70-74, at least on lines 7-20 of page 6; Claim 75, at least one lines 3-7 of page 11; Claim 78, at least on lines 8-12 of page 8; and Claims 79-82, at least on lines 8-10 of page 12 and in FIG. 4.

In the January 21, 2004 Office Action, the Examiner rejected Claims 1-5, 7, 10-15, 17, 21-26, 28, 31 and 33 under 35 USC §102(e) as anticipated by, or under 35 USC §103(a) as unpatentable over, *Candelore* (US 6,057,872); Claims 35 and 36 under 35 USC §102(e) as anticipated by, or under 35 USC §103(a) as unpatentable over, *August et al.* (US 5,671,267); and Claims 6, 16, 27, and 37-42 under 35 USC §103(a) as unpatentable over *Candelore* in view of

August et al. The Examiner indicated that Claims 8, 9, 18, 19, 20, 29, 30, 32, and 34 would be allowable if rewritten in independent form, including all the limitations of the base claim and any intervening claims.

In response, independent Claims 1, 11, 22, 33, 35, and 37 have been amended to clarify the nature of the present invention. Specifically, the independent claims now recite that (i) the first information stream comprises both content desired by the user and commercial content; (ii) the second information stream comprises reward content; and (iii) the user must substantially consume the commercial content in the first information stream to receive the reward content in the second information stream. None of *Candelore*, *August et al.*, and their combination teach or suggest these features. Therefore, amended independent Claims 1, 11, 22, 33, 35, and 37 are believed to be patentable over *Candelore*, *August et al.*, and their combination, and withdrawal of their rejection is respectfully requested.

At least through their dependence on Claims 1, 11, 22, 33, 35, and 37, which are believed to be patentable over the cited prior art, dependent Claims 2-10, 12-21, 23-32, 34, and 36 are also believed to be patentable over the cited prior art. Withdrawal of their rejection is respectfully requested.

Newly added dependent Claims 43-50 are believed to be patentable over the cited prior art, at least through their dependence on independent Claims 1, 11, 22, 33, 35, and 37, which are believed to be patentable over the cited prior art. Their allowance is respectfully requested.

Newly added independent Claim 51 recites a method for inducing a user to consume commercial content by offering reward content in which a content data stream having both content desired by the user and commercial content is transmitted to the user, and the user is informed that the user may receive the reward content if the user consumes the commercial content. If the user responds appropriately to the prompting, the reward content will be provided. At least because the cited prior art neither teaches nor suggests a method for inducing a user to consume commercial content by offering reward content, which Claim 51 recites, Claim 51 is patentable over the cited prior art. The allowance of Claim 51 is respectfully requested.

At least through their dependence on Claim 51, which is believed to be patentable over the cited prior art, dependent Claims 52-68 are also believed to be patentable over the cited prior art.

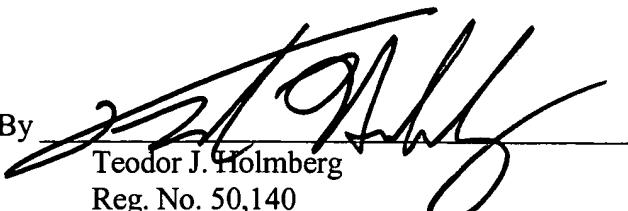
Furthermore, at least because newly added independent Claim 69 recites a transmitter that transmits the content data stream recited in independent method Claim 51, and Claim 51 is believed to be patentable over the cited prior art, Claim 69 is believed to be patentable over the cited prior art. Lastly, at least through their dependence on Claim 69, which is believed to be patentable over the cited prior art, dependent Claims 70-82 are also believed to be patentable over the cited prior art. The allowance of newly added Claims 52-82 is respectfully requested.

It should be noted that newly-added dependent Claims 43-44 and 63 recite substantially the same limitations as Claims 8, 9, 18, 19, 20, 29, 30, 32, and 34, which the Examiner has indicated would be allowable if rewritten in independent form, including all the limitations of the base claim and any intervening claims. Therefore, allowance of Claims 43-44 and 63 is respectfully requested at least on this additional basis.

At least on the basis of the foregoing, it is believed that all pending claims are in condition for allowance, which is respectfully requested.

Respectfully submitted,

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